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COMMITTEE MEETING  
STATE OF CALIFORNIA  
INTEGRATED WASTE MANAGEMENT BOARD  
SPECIAL WASTE COMMITTEE

JOE SERNA, JR., CALEPA BUILDING  
1001 I STREET  
2ND FLOOR  
COASTAL VALLEY HEARING ROOM  
SACRAMENTO, CALIFORNIA

WEDNESDAY, FEBRUARY 9, 2005  
9:30 A.M.

TIFFANY C. KRAFT, CSR, RPR  
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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Ms. Cheryl Peace, Chair

Ms. Linda Moulton-Patterson

Mr. Carl Washington

BOARD MEMBER ALSO PRESENT

Mr. Michael Paparian

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Chief Counsel

Ms. Holly Armstrong, Staff

Mr. Bob Fujii, Supervisor, Tire Remediation & Engineering  
Technical Services

Mr. Nate Gauff, Staff

Mr. Albert Johnson, Staff

Mr. Jim Lee, Deputy Director

Ms. Selma Lindrud, Committee Secretary

Ms. Stacey Patenaude, Staff

Mr. Darryl Petker, Staff

Mr. Frank Simpson, Supervisor, Waste Tire Diversion

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ALSO PRESENT

Mr. Michael Blumenthal, Rubber Manufacturers Association

Ms. Casey Cleve, NASA Ames Research Center

Ms. Catherine Huybrechts, NASA Ames Research Center

Dr. Jay Skiles, NASA Ames Research Center

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1 PROCEEDINGS

2 CHAIRPERSON PEACE: Good morning. Everybody  
3 ready? Welcome to the Special Waste Committee.

4 It looks like we're all here, so Selma, please  
5 call the roll.

6 SECRETARY LINDRUD: Moulton-Patterson?

7 COMMITTEE MEMBER MOULTON-PATTERSON: Here.

8 SECRETARY LINDRUD: Washington?

9 COMMITTEE MEMBER WASHINGTON: Here.

10 SECRETARY LINDRUD: Peace?

11 CHAIRPERSON PEACE: Here.

12 I just want to thank everybody for being here.

13 At this time, please put your cell phones on  
14 vibrate or meeting mode. There are agendas on the back  
15 table and there are also some speaker slips. If you would  
16 like to address the Committee on an item, please bring  
17 your speaker slip to Selma.

18 And, Members, are there any ex partes?

19 COMMITTEE MEMBER MOULTON-PATTERSON: I'm up to  
20 date.

21 COMMITTEE MEMBER WASHINGTON: I'm up to date.

22 CHAIRPERSON PEACE: And I'm also up to date.

23 Before we get started this morning, I'd just like  
24 to say that this is Board Member Linda Moulton-Patterson's  
25 last Special Waste Committee, as her term expires.

1 COMMITTEE MEMBER WASHINGTON: No way.

2 CHAIRPERSON PEACE: I want to thank her for the  
3 confidence she showed in me by appointing me Chair of this  
4 Committee. When I was a new Board member, she took this  
5 soccer mom under her wing and made me feel so welcome.  
6 And I will never forget her kindness.

7 Linda, as the longest-serving Board Chair in  
8 Board history, thank you for all the contributions you  
9 have made, from the clean up of La Montaa, to pushing the  
10 idea that if it's good for the environment, it can also be  
11 good for business. And also, of course, being the driving  
12 force behind environmental education.

13 And, of course, with you came Bonnie. We're so  
14 lucky to get you as a package. And due in large part to  
15 Bonnie's efforts, we now have environmental principles  
16 that will be considered for inclusion for the K through 12  
17 text books. That is just a huge accomplishment.

18 I want to thank you personally for your advice,  
19 your support, and your friendship. The Board is going to  
20 miss you. This Committee is going to miss you. And I am  
21 going to miss you tremendously. And I just want to wish  
22 you the best of luck in your next endeavor.

23 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you,  
24 Cheryl. I really appreciate that. And my confidence in  
25 you certainly was one of the best things I ever did on

1 this Board. Cheryl has taken over this Committee, and I'm  
2 so proud of her. She's getting a special award coming up  
3 by the Pavement Association, right? And she's just done a  
4 wonderful job. And she's been a wonderful Board member to  
5 work with, as has Carl.

6 I'm going to miss you all so much. I think you  
7 and the Special Waste Division have just done a tremendous  
8 job. I mean, this is a big, big undertaking. And you've  
9 worked with a lot of different personalities as Board  
10 members and answered a lot of different agendas. But  
11 you've always done it with the best for the Board and the  
12 best for the public in mind. And I appreciate it so much.  
13 I'm going to miss you all so much. Really, this has been  
14 just the highlight of my life working with all of you.

15 I just think the Integrated Waste Management  
16 Board has the best employees in the world. And they're so  
17 dedicated. I've said that a hundred times, but it's from  
18 the heart, and I mean it. And I'm going to miss you all.  
19 And I hope our paths will cross. I have a few more days,  
20 but I won't be back here at Special Waste. So thank you  
21 very much.

22 And thank you, Cheryl and Carl, for all your  
23 help.

24 COMMITTEE MEMBER WASHINGTON: Thank you, Madam  
25 Chair.



1           Let me attach myself to the comments by Cheryl as  
2 it relates to Linda. I know we are going to have several  
3 more opportunities to talk about Linda. But I, too, am  
4 very proud that I've had the opportunity to serve with  
5 you, Linda, on this Board. I tell you, you're phenomenal.  
6 And, again, the team that you brought along with you in  
7 Bonnie has been awesome. You really, like Cheryl, gave me  
8 an opportunity to come to this Board and really dig in and  
9 understand what the Board was all about. And it's really  
10 a loss to the state of California to have you leave this  
11 Board.

12           And, as you know, with the Governor's new  
13 proposal, to lose this Board, period, is a loss to the  
14 state of California, no matter what people think about the  
15 Board. And so with you as the Chair and moving forward,  
16 California will certainly feel the difference once you've  
17 left this Board. And I'm really going to miss you. Thank  
18 you so much for all that you've done to help me, encourage  
19 me, and certainly been there to support me. It's really a  
20 tragedy and a loss that you have to move forward. And,  
21 again, I know that you and your husband and the family  
22 will certainly be travelling the country and doing things  
23 that you like to do. And we're going to miss you.

24           COMMITTEE MEMBER MOULTON-PATTERSON: Thank you,  
25 Carl. It's been a pleasure working with you.

1           And I just want to add real quickly, you know, I  
2   certainly hope the Governor sees how important this Board  
3   is. You know, I'm not talking here on self interest. I'm  
4   not going to be here. But I'll tell you, this Board is  
5   just a wonderful thing, and the public participation we've  
6   got just couldn't be had without a Board. I firmly  
7   believe that. So I hope the Little Hoover Commission sees  
8   this. I hope the Legislature sees this, and I hope the  
9   Governor sees this, that this is really an important  
10  Board.

11           So thank you all for your comments.

12           CHAIRPERSON PEACE: Okay. Before I start crying,  
13  I guess we better get on with it.

14           Mr. Lee, we have your Deputy Director's report.

15           DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

16   Good morning, Committee members. My name is Jim Lee with  
17  the Special Waste Division.

18           Madam Chair, I have no items on my Deputy  
19  Director's Report, per se. But I did want to take this  
20  opportunity to thank Ms. Moulton-Patterson for her  
21  leadership and support, both on the Special Waste  
22  Committee and previously as the Board Chair. Staff  
23  greatly appreciated your work to lead the Board and to act  
24  as a voice of moderation and conciliation, bring sometimes  
25  dispirit opinions, helping to form a consensus that

1 allowed staff to go forward. We very much appreciate your  
2 strong support and encouragement over the years. And we,  
3 too, will sorely miss your presence on the Board.

4 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you,  
5 Jim.

6 DEPUTY DIRECTOR LEE: Madam Chair, with your  
7 permission, I'd like to proceed on with today's agenda.

8 CHAIRPERSON PEACE: I know it was mentioned on  
9 the web, but did we want to say Item 22 --

10 DEPUTY DIRECTOR LEE: Again, thank you, Madam  
11 Chair, for reminding me about that. Item 22 is the item  
12 with regards to the Manifest Program. Given the fact that  
13 the Special Waste Committee has heard this item at several  
14 workshops over the past few months, you know, with the  
15 Committee Chair's permission, we are going to defer this  
16 to the full Board for consideration at that time. So  
17 we'll propose to defer further discussion on that item at  
18 today's Committee meeting.

19 Madam Chair, first item up today would be Item B,  
20 Consideration of Grant Awards for the Waste Tire Amnesty  
21 Day Grant Program for Fiscal Year 2004-2005. Frank  
22 Simpson will make the staff presentation.

23 WASTE TIRE DIVERSION SUPERVISOR SIMPSON: Good  
24 morning, Madam Chair and Committee members. My name is  
25 Frank Simpson with the Waste Tire Diversion Program.

1 Today, I will be presenting staff's recommendations for  
2 award of the local government waste tire public education  
3 and Amnesty Day Grants for fiscal year 2004-2005.

4           The primary purpose of the Amnesty Day Grant  
5 Program is to help local governments improve health and  
6 safety in their jurisdictions by removing waste tires from  
7 the environment. Discarded tires can be a fire hazard and  
8 provide habitat for disease-carrying pests. In addition,  
9 the public education efforts will teach people about the  
10 importance of properly maintaining their tires.

11           Staff makes recommendations for the awards based  
12 on the scoring criteria in a process established by the  
13 Board. The Board approved this set of criteria last June  
14 for this year's grant cycle. In the current Five-Year  
15 Plan for the Tire Program, the Board has allocated  
16 \$500,000 for Amnesty Day Grants. Staff received 22  
17 applications for this year's grants, requesting a total of  
18 \$773,832. Seventeen applications received a passing score  
19 and requested \$704,793, which oversubscribes or exceeds  
20 Board funding by more than \$200,000.

21           In 2001, the Board decided all competitive grant  
22 programs will award funds based on the geographic  
23 distribution of the state's population. The north/south  
24 split criteria is applied to this grant program. Based on  
25 the north/south split and in descending order of score,

1 staff has determined that 14 applicants can be awarded  
2 grants at the current level of funding. All seven  
3 applicants from Southern California are being recommended.  
4 Six of the Northern California applications would be fully  
5 funded, and a seventh partially funded.

6 Staff recommends the Board approve the proposed  
7 awards directing staff to enter into grant agreements with  
8 the applicants identified in List A of Attachment 2 until  
9 all the allocated funds are exhausted, and adopt  
10 Resolution Number 2005-34. This Resolution also provides  
11 for approving the applicants on List B of Attachment 2,  
12 should the Board wish to reallocate additional funds to  
13 passing projects at a later date.

14 That concludes my presentation. Are there any  
15 questions?

16 CHAIRPERSON PEACE: The only question I had of  
17 staff is that they sent out 2,000 NOFAs, and we only got  
18 22 responses and 17 passing scores. And I was just  
19 wondering is this a program that we still need to  
20 continue. But talking to staff, they assured me that it  
21 was a program they did want to continue, and they did  
22 actually up the funding to a million dollars in the  
23 revised Five-Year Plan.

24 Does anybody have any comments?

25 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you,

1 Ms. Peace.

2 I'd like to move approval of Resolution 2005-34,  
3 Consideration of Grant Awards for the Waste Tire Amnesty  
4 Day Grant Program for Fiscal Year 2004-2005.

5 COMMITTEE MEMBER WASHINGTON: Second.

6 CHAIRPERSON PEACE: We have a motion by Board  
7 Member Linda Moulton-Patterson, a second by Board Member  
8 Washington. Take the roll.

9 SECRETARY LINDRUD: Moulton-Patterson?

10 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

11 SECRETARY LINDRUD: Washington?

12 COMMITTEE MEMBER WASHINGTON: Aye.

13 SECRETARY LINDRUD: Peace?

14 CHAIRPERSON PEACE: Aye.

15 As this is a fiscal item, we'll move this to the  
16 full Board with full Committee support.

17 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

18 Item C, Consideration of Scope of Work for the  
19 Engineering and Environmental Services Contract, Tire  
20 Recycling Management Fund, Multi-Year Funding. Stacy  
21 Patenaude will make the staff presentation.

22 MS. PATENAUDE: Good morning, Madam Chair,  
23 members of the Committee. My name is Stacey Patenaude.  
24 I'm from the Special Waste Division. The item I bring for  
25 you today is Consideration of the Scope of Work for the

1 Engineering and Environmental Services Contract, Tire

2 Recycling Management Fund, Multi-Year Funding.

3           This contract will be used to continue the

4 Board's effort to promote tire-derived aggregate in civil

5 engineering applications. Through this contract, the

6 Board will hire an engineering consultant to help provide

7 education, design, and technical assistance to local,

8 state, and government agencies and private entities who

9 are interested in using tires in civil engineering

10 applications. The engineering consultant will provide

11 construction management oversight on projects in which

12 waste tires are to be used as light-weight fill, vibration

13 attenuation layers, erosion control, drainage layers, and

14 other civil engineering applications. This contract has

15 been previously awarded three additional times over the

16 last six years.

17           This contract selection process is subject to

18 contracting utilizing the Request for Qualification

19 process. The contract will be managed through work orders

20 for specific tasks. These work orders will be issued by

21 the contract manager.

22           This contract will encumber \$500,000 from the

23 Research Section and \$150,000 from the Markets section of

24 the Five-Year Plan. It is proposed that this contract be

25 funded in an amount not to exceed \$1,150,000, subject to

1 availability of funds.

2 If there are no other questions, staff would  
3 recommend that the Committee approve Option 1, the scope  
4 of work, and Resolution 2005-35.

5 COMMITTEE MEMBER WASHINGTON: Stacy, just before  
6 we move this item forward, you said this has been awarded  
7 three different times?

8 MS. PATENAUE: Yes.

9 COMMITTEE MEMBER WASHINGTON: Why do we have to  
10 continue to award the same contract three different times  
11 if we're trying to develop a plan to promote the use of  
12 waste tires?

13 MS. PATENAUE: We're still trying to get the  
14 word out. This isn't an accepted technology here in  
15 California. It's the number two reuse in the United  
16 States. But up until now, there's basically been three  
17 projects built in California. Those were all projects in  
18 which the Waste Board was involved. We're working  
19 extensively with Caltrans to get them to accept this. But  
20 it's not like you just go to one office in Caltrans.  
21 Every single district needs to have their hands held and  
22 walked through this process.

23 What we are going to do this year is to focus  
24 more on cities and counties to get them up to speed on the  
25 engineering characteristics of tire-derived aggregate and



1 also tell them -- I mean, explain to them the cost  
2 savings, this isn't just a recycling option for them. It  
3 tends to be more expensive. They can truly save more  
4 money in their civil engineering projects. We think  
5 cities and counties may be more open minded to this  
6 because saving a couple hundred thousand dollars on a  
7 project, it can mean a lot to a city, where sometimes to  
8 Caltrans that's just, you know, additional work they can't  
9 manage into their time frame.

10 COMMITTEE MEMBER WASHINGTON: So we're trying to  
11 cover all the grounds that we can in terms of issuing this  
12 in different segments of this program to make sure we  
13 cover everyone and get them on board?

14 MS. PATENAUDE: Correct. We're still  
15 researching -- tire-derived aggregate is relatively new,  
16 and some of the applications still are being explored.  
17 The research section of it is, for example, the Valley  
18 Transit Authority, the vibration attenuation, that was the  
19 first of its kind ever done in the world. And we will be  
20 doing the additional research on that the first week of  
21 this March. The track is finally in. We're still using  
22 this contract to investigate that application.

23 COMMITTEE MEMBER WASHINGTON: Let me offer my  
24 assistance with the Assembly in helping with Caltrans. I  
25 do think that, along with Chair Peace and I, with the

1 Senate, we probably should bring them in and really have a  
2 powwow type of meeting with Caltrans to really get them on  
3 board with this.

4           Since I've been at the Board, I know we've had  
5 some difficulties trying to get Caltrans involved. And I  
6 think this is an opportunity, especially with the  
7 atmosphere where this Board is going, that we probably  
8 should jump in here and try to get Caltrans on board once  
9 and for all with the legislative piece of this, too, to  
10 bring the Director. And I can certainly, you know, have  
11 the Speaker make that request and have the meeting at his  
12 office or wherever we need to do it. But we definitely  
13 need to do that to get them on board so you won't have  
14 those difficulties, if by chance this Board is eliminated,  
15 becomes a department, that you have that in place already.

16           So I really think we should take advantage of the  
17 opportunity to do that and not wait a long time to get it  
18 done. And my office along with Ms. Peace, and I am not  
19 volunteering her, but I'll certainly be willing to  
20 coordinate a meeting that can help us finally say to  
21 Caltrans, "Why aren't you guys here? What do we need to  
22 do to get you here?" And let's kind of put this thing  
23 behind us so you, as staff, don't have that problem if the  
24 CPR kicks in and this Board is eliminated.

25           MS. PATENAUE: Thank you. I appreciate any help

1 you can give us. Any additional words can't hurt.

2 DEPUTY DIRECTOR LEE: And I'd like to add to  
3 that, Mr. Washington. We appreciate your volunteering to  
4 assist us in this endeavor. Again, we will make clear  
5 very shortly when we come back to the Board in March with  
6 kind of a comprehensive item to discuss our outreach  
7 efforts.

8 As I've discussed with the Board and the  
9 Committee on several different occasions in the past, you  
10 know, we envision outreach to both the public -- to  
11 basically the public works people, the more technical  
12 officials, and then also to the politicians and the policy  
13 makers. And we certainly envision an active roll for the  
14 Board, you know, especially without that latter piece.

15 So I think our intent will be more clear again  
16 when we bring this outreach item for you I believe in  
17 March. That was one of the reasons why I pulled Item 8  
18 this month, is so we can make sure it's fully developed  
19 and that we were considering all the various opportunities  
20 for outreach into the community.

21 CHAIRPERSON PEACE: My office has been working  
22 with Randy Iwasaki and Larry Orcutt from Caltrans. And,  
23 actually, we have -- regarding RAC. Actually, we have  
24 been making a little bit of progress. We have a little  
25 better relationship with them. But we definitely do need

1 to push other things, too, as a Board, but not only the  
2 RAC and civil engineering and mulch and the compost and  
3 the buying recycled. If we could get Caltrans to do all  
4 those things, it would be a big accomplishment.

5 BOARD MEMBER PAPARIAN: Madam Chair, if it's all  
6 right if I could ask a question about this.

7 There's money from the current Tire Plan, and  
8 then the next Tire Plan in the event the Tire Plan  
9 includes the \$500,000 for 06-07. So when Dr. Humphrey  
10 gets this or whoever gets this, presumably it's  
11 Mr. Humphrey who gets this contract, would it be a million  
12 dollar contract, or would it come back again for the next  
13 \$500,000? How does that work?

14 MS. PATENAUDE: With the way it's written, if the  
15 money has been allocated for research, you know, for  
16 engineering, we could extend the contract for time and  
17 money an additional \$500,000. It would not need to come  
18 back before the Board.

19 BOARD MEMBER PAPARIAN: Whatever the allocation  
20 would be in the Five-Year Plan, if it's 500,000, up to  
21 \$500,000?

22 MS. PATENAUDE: Right.

23 BOARD MEMBER PAPARIAN: It would automatically  
24 get added to Mr. Humphrey's contract?

25 MS. PATENAUDE: It would be up to the discretion

1 of staff. If we feel like we're going in the right way,  
2 it's whether we feel like we want to extend this contract.  
3 We have the option to come back and do another RFQ if we  
4 choose to go with a different contractor for whatever  
5 reason.

6 BOARD MEMBER PAPARIAN: Thank you.

7 CHAIRPERSON PEACE: Any other questions?

8 DEPUTY DIRECTOR LEE: Madam Chair, if I could  
9 respond a little additional further to Mr. Paparian.

10 Again, Mr. Humphrey has been the contractor  
11 that's been selected in the previous years. And we would  
12 expect him to be a viable candidate, you know, for this  
13 contract that we intend to submit an RFQ for. But it will  
14 be a competitively bid process. We've written the  
15 requirement, the scope of work, such that, again, to  
16 encourage the participation from the broadest segment of  
17 the consulting community.

18 And, again, I think as staff has pointed out, the  
19 06-07 money again will be allocated as part of the  
20 Five-Year Plan revision. We're not trying to be  
21 presumptuous or shortchange or curtail the Board's  
22 determinations there. We're basically just trying to be  
23 prudent. If the Board does subsequently approve the  
24 allocation in the Five-Year Plan, as Stacy has mentioned,  
25 then we can extend the contract.

1           BOARD MEMBER PAPARIAN: I think the questions I  
2 have I may bring up in the context of the Five-Year Plan,  
3 basically whether in the future we can split this contract  
4 so that so much of it doesn't go to the University of  
5 Maryland. We might be able to find some chunks of the  
6 contract to bring back into California. But it sounds  
7 like there's enough discretion in the way this is worded  
8 to allow that to happen in the context of the development  
9 of the Five-Year Plan.

10           DEPUTY DIRECTOR LEE: I would think so.

11           COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd  
12 like to move adoption of Resolution 2005-35, Consideration  
13 of Scope of Work for the Engineering and Environmental  
14 Services Contract, Tire Recycling Management Fund,  
15 Multi-Year Funding.

16           COMMITTEE MEMBER MOULTON-PATTERSON: Second.

17           CHAIRPERSON PEACE: We have a motion by Mr.  
18 Washington, a second by Ms. Moulton-Patterson.

19           You want to substitute the previous roll. But I  
20 do want to say even though this is a scope of work and we  
21 could place it on consent, because as Mr. Paparian said,  
22 we are allocating 06-07 funds in a Five-Year Plan revision  
23 that hasn't yet been approved by the Board. Even though  
24 the Resolution does say subject to availability, I'm okay  
25 with placing this on consent, but I don't know what --

1           BOARD MEMBER PAPARIAN: Part of the reason I came  
2 here today was to ask the questions and get them answered.  
3 My questions are answered so --

4           CHAIRPERSON PEACE: I guess we will place this on  
5 consent.

6           DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

7           Item D is Consideration of Contractor for the  
8 Waste Tire Short-Term Remediation Contract, Tire Recycling  
9 Management Fund, Fiscal Years 2004-05 and 2005-06. Albert  
10 Johnson will make the staff presentation.

11          MR. JOHNSON: Good morning, Madam Chair and  
12 members of the Committee.

13          The existing Waste Tire Short-Term Remediation  
14 contract is scheduled to expire in May of this year, and  
15 this contract will replace it. The scope of work for this  
16 contract was approved by the Board in October 2004, and  
17 its Statement of Qualifications were due to the Board  
18 December 13th, 2004. We received five submittals from  
19 different companies.

20          Selection of the contractor followed the RFQ  
21 process outlined in Title 14. Specifically, Section 17022  
22 outlines criteria to be reviewed which include items such  
23 as experience of the contractor with similar projects,  
24 quality of work of the contractor, the qualifications of  
25 the personnel and experience that work for the contractor,

1 and other related criteria. This criteria was reviewed by  
2 a Selection Committee of three individuals: One  
3 individual was from the Tire Remediation, a second was  
4 from the 2136 Program, and the third person on the  
5 Selection Committee was from DTSC. These three people all  
6 have experience on these type of Selection Committees in  
7 working with contractors.

8 In accordance with Title 14, they ranked five  
9 firms, and the top three ranking firms were interviewed.  
10 As part of the review process, they called references to  
11 validate the information submitted by the contractors.  
12 The three highest ranking firms were interviewed, and they  
13 selected Engineering Resources Remediation Group as the  
14 highest ranking firm.

15 This contract will be used for cleanup of small  
16 tire piles around the state, including the Sonoma sites.  
17 The Karen Gerbosi site, the Beebe Family Ranch, is  
18 scheduled to begin in June of this year, and we'll use  
19 this contract for it.

20 This contract is for \$3 million total. A  
21 million-and-a-half is from 04-05, and the second  
22 million-and-a-half is from 05-06. Staff is recommending  
23 adoption of Resolution 2005-36 and approving Engineering  
24 Resources Remediation Group as the contractor.

25 That concludes my presentation. Is there any



1 questions?

2 COMMITTEE MEMBER MOULTON-PATTERSON: I just want  
3 to say it's good to hear that the Sonoma piles are going  
4 to be worked on. And thank you so much. I'm glad to see  
5 that.

6 COMMITTEE MEMBER WASHINGTON: Albert, in terms  
7 of -- I notice Sukut, how long has the Board been with the  
8 Sukut Construction Company?

9 MR. JOHNSON: Sukut has held a lot of contracts  
10 with the Board. This contract has been awarded five times  
11 previously, and Sukut had won it four of the five times.  
12 Sukut is currently working at Tracy, as you're aware.  
13 And, actually, the Westley contract that I manage is still  
14 active until 2006, and Sukut holds that contract, because  
15 we still have some additional work to complete out there  
16 after the settlement, which is coming to a close here  
17 probably next week, is finalized.

18 COMMITTEE MEMBER WASHINGTON: So with Engineering  
19 Resource Remediation Group, have we ever done any business  
20 with them?

21 MR. JOHNSON: They haven't held a contract with  
22 the Waste Management Board.

23 COMMITTEE MEMBER WASHINGTON: I understand they  
24 helped out at Tracy or something.

25 MR. JOHNSON: They did some work at Tracy as a

1 subcontractor to Sukut. They've worked for DTSC. I think  
2 they have an active contract with DTSC, have done several,  
3 you know, relatively large remediation projects in the Bay  
4 Area.

5 COMMITTEE MEMBER WASHINGTON: So the decision to  
6 award it to them was based on the resources -- the amount  
7 of money they say they can do the same job for?

8 MR. JOHNSON: No. It was based on  
9 qualifications. The Selection Committee, you know, looked  
10 at -- Sukut was, you know, also looked at. It was very  
11 close. But the Selection Committee chose this contractor  
12 based on --

13 COMMITTEE MEMBER WASHINGTON: Based on  
14 qualifications, which these folks was a subcontractor to  
15 Sukut. Sukut has done this for the last four out of five  
16 years, and it was based on qualifications? I mean, I'm  
17 just trying to figure out what am I missing in between  
18 here, because that makes no sense to me.

19 MR. JOHNSON: Well, I was not on the Selection  
20 Committee. It was --

21 COMMITTEE MEMBER WASHINGTON: Tell me again who  
22 made up the Selection Committee.

23 MR. JOHNSON: I chose these people. You know,  
24 two of them work for us. The other person works for DTSC.

25 COMMITTEE MEMBER WASHINGTON: Somebody help me

1 out.

2 DEPUTY DIRECTOR LEE: Mr. Washington, the point I  
3 was trying to make with Mr. Paparian on the previous item  
4 is all of these contracts are competitively bid. We put  
5 out a Request for Qualifications. We had, you know,  
6 various applicants that came in. They were reviewed, you  
7 know, according to standard criteria. And as I think  
8 Albert has pointed out, you know, Sukut was right there in  
9 the running. But the consensus of the reviewing panel was  
10 that the firm that we've proposed for selection was the  
11 choice.

12 COMMITTEE MEMBER WASHINGTON: And I hope you can  
13 appreciate, as a Board member who has to vote on this, my  
14 concerns as it relates to the qualifications. If we've  
15 had somebody who has won this contract four out of the  
16 five last times, it's kind of difficult for me to  
17 understand where they missed the qualification of doing  
18 this when they have the most experience doing this.  
19 They've done it more. And this company who received this  
20 contract was a subcontractor to them. I'm just trying to  
21 figure out what is happening here in terms of the Sukut  
22 Construction Company.

23 SUPERVISOR FUJII: And I don't think the  
24 selection process is trying to insinuate that any of these  
25 companies aren't capable of doing this work. I think any

1 of the three finalists would have been capable of doing  
2 the work that we would have required them to do under the  
3 scope of work under this contract.

4           You know, Sukut has done some tremendous work for  
5 us in the past and probably would continue to do work for  
6 us in the future. However, EERG -- I wasn't on the  
7 Selection Committee, but I can just assume what they  
8 decided was they had done similar projects, not  
9 necessarily for the Board, but for other agencies, and  
10 that was evaluated alongside of what Sukut has done with  
11 the Board. And they must have demonstrated to that  
12 selection panel they were just as capable of doing that  
13 work.

14           Sukut isn't the only contractor in the state.  
15 They have done some great work for us, but there are many  
16 contractors that are certainly capable of doing equal  
17 work. Just to comment, they have won that contract four  
18 out of the five times. They probably demonstrated to  
19 those selection panels they were the top candidate.

20           COMMITTEE MEMBER WASHINGTON: Bob, what about  
21 their work out of the four of five times? I've heard  
22 nothing but great reviews for them.

23           SUPERVISOR FUJII: Agreed.

24           COMMITTEE MEMBER WASHINGTON: If I would have  
25 come to this Board and they said, "We have a Sukut

1 Construction who is so-so" -- or I've had -- I mean, it's  
2 been, you know, overwhelming great comments made about  
3 this. And I actually went out to see some of the work  
4 they've done. So I mean, we can move on. I just think  
5 it's interesting --

6 SUPERVISOR FUJII: And just, Board Member  
7 Washington, in terms of the subcontractor arrangement,  
8 there are situations where certain contractors have  
9 specialized expertise we'd like to bring on board, and  
10 EERG might have had some specialized expertise that Sukut  
11 didn't have.

12 COMMITTEE MEMBER WASHINGTON: Okay. I won't  
13 prolong it. Okay.

14 CHAIRPERSON PEACE: Any other questions?

15 COMMITTEE MEMBER MOULTON-PATTERSON: I'll go  
16 ahead and move Resolution 2005-36.

17 COMMITTEE MEMBER WASHINGTON: Second.

18 CHAIRPERSON PEACE: And I have a motion by  
19 Ms. Moulton-Patterson, a second by Mr. Washington. We'll  
20 substitute the previous roll. And this is a fiscal item,  
21 again, I would like to move this to the full Board with  
22 full Committee support.

23 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

24 Item F is Consideration of the Scope of Work for  
25 the Rubberized Asphalt Concrete Engineering and Technical

1 Assistance Contract. Nate Gauff will make the staff  
2 presentation.

3 MR. GAUFF: Good morning, Madam Chair and  
4 Committee Members. I'm Nate Gauff with the Special Waste  
5 Division.

6 Committee Item F, which is Board Item 9, is  
7 Consideration of Scope of Work for the Rubberized Asphalt  
8 Concrete Engineering and Technical Assistance Contract.  
9 This contract is a result of the Board item -- or the  
10 Committee item that was heard in December 2004 looking at  
11 the program elements for the rubberized asphalt services  
12 the Board was going to offer. At that time, the Committee  
13 approved the element of having a technical expert type  
14 contract for rubberized asphalt. So we are bringing  
15 before you the scope of work for approval so we can go  
16 forth and execute the construct -- or select a contractor  
17 and execute the contract.

18 Basically, what we're looking at is having a  
19 contractor that will go forth and do technology transfer  
20 with local governments. They will also provide  
21 construction oversight, construction management technical  
22 assistance, and possibly do some research projects. But  
23 we anticipate that not being more than 5 to 10 percent of  
24 the contract, if at all.

25 The contractor, or the proposed contractor, would

1 be, you know, open to a number of entities, including the  
2 Technology Centers. So we're going to put that out there.  
3 We're going to go through the same type of process with  
4 the Request for Qualifications from the proposed -- or the  
5 applicant companies or individuals.

6 I'd like to read in a couple things before I open  
7 it up for questions. In the agenda item itself, in the  
8 funding table, we are proposing to fund this item from two  
9 sources. One is \$200,000 from the Rubberized Asphalt  
10 Technology Center allocation, which was approved by the  
11 Committee in December. And, additionally, we'd like to  
12 also fund this contract in the amount of \$250,000 from the  
13 civil engineering uses line item in the Market Development  
14 section of the Five-Year Plan for 04-05. So the total for  
15 the contract would be \$450,000.

16 And on the funding table that's in your agenda  
17 item, it is slightly incorrect in the line item looking at  
18 the civil engineering uses. It should say amount  
19 available 350,000. Amount to fund the item is 250,000,  
20 which would leave 100,000 remaining in that line item. I  
21 just wanted to make you aware of that.

22 And also in the resolution, Resolution 2005-37,  
23 in the now therefore be it resolved clause, we've added  
24 the sentence that says -- at the end that says, "and  
25 direct staff to proceed with the Request for

1 Qualification -- or Qualifications and procure a  
2 contractor to be approved by the Board." And we added  
3 that language also.

4 And with that, staff is recommending approval of  
5 the scope of work and adoption of Resolution 2005-37.

6 Are there any questions?

7 CHAIRPERSON PEACE: I don't have any questions.  
8 In the item it says the response to the Board's most  
9 recent SB 1346 RAC Grant offering has been much greater  
10 than expected, I was so pleased to hear that. From what I  
11 understand, last year we had 19 jurisdictions apply for 70  
12 projects, and this year we had 29 jurisdictions applying  
13 for 99 projects.

14 MR. GAUFF: Correct.

15 CHAIRPERSON PEACE: This is so encouraging.

16 MR. GAUFF: Those 99 projects total over \$1.5  
17 million. So the program is going to be oversubscribed.

18 CHAIRPERSON PEACE: Also just one thing. You  
19 know, under the tasks identified, because a lot of these  
20 tasks are also identified in the scope of work for our RAC  
21 Technical Centers, I still think I feel comfortable --  
22 like in Number 9 it says "consult with employees of  
23 California Integrated Waste Management Board and other  
24 state and local agencies, including coordinating efforts  
25 with our RAC Tech Centers." If we could just add that in



1 there, I would feel better.

2 MR. GAUFF: We can add that into the scope.

3 CHAIRPERSON PEACE: Thank you.

4 Any other questions? We have a motion?

5 COMMITTEE MEMBER WASHINGTON: I'd like to move

6 adoption of Resolution 2005-37 revised.

7 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

8 CHAIRPERSON PEACE: We have a motion by Mr.

9 Washington, a second by Ms. Moulton-Patterson. Substitute  
10 the previous roll and place this on consent.

11 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

12 Item G is Consideration of Scope of Work for  
13 Interagency Agreement with San Jose State University to  
14 Develop a Model for Use of Currently Available Satellite  
15 Imagery to Locate Waste Tire Piles in California,  
16 Recycling Management Fund, Fiscal Year 2004-2005. Darryl  
17 Petker will make the staff presentation.

18 (Thereupon an overhead presentation was  
19 presented as follows.)

20 MR. PETKER: Thank you.

21 --o0o--

22 MR. PETKER: Good morning, Madam Chair, Board  
23 members. My name is Darryl Petker. I work in the Waste  
24 Tire Enforcement Section. I'm here today to talk about a  
25 proposal for using San Jose State to help us use satellite

1 imagery to find and locate tires.

2 --o0o--

3 MR. PETKER: We're looking for an agreement with  
4 San Jose State, who is working in conjunction with NASA  
5 Ames Research Center to develop a method to accurately  
6 locate and monitor waste tire locations using currently  
7 available satellite imagery. We've been working on this  
8 off and on and talking with San Jose State and NASA for a  
9 year. We're finally bringing something forward to you.

10 --o0o--

11 MR. PETKER: As an introduction, in past times we  
12 were using CHP aerial to do some of these things on a  
13 random basis. When they were out there, they'd go out and  
14 look for things. They found a lot of sites for us, a lot  
15 of information for us. But it always wasn't as accurate  
16 as we had hoped, and it could be. So while looking  
17 around, we thought this might be something that would  
18 work, so we're trying to try it. But there is a need to  
19 accurately locate new and expanding waste tire locations.  
20 Satellite imagery may provide that at a cost effective  
21 method to locate and monitor waste tire locations.

22 --o0o--

23 MR. PETKER: The concept is to use currently  
24 available satellite imagery. There's imagery out there  
25 that's available to us now. It's not something we have to

1 task a satellite to do. That satellite imagery is  
2 currently used by many organizations within California,  
3 within the nation, and the world. Examples would be  
4 Caltrans, Office of Emergency Services, CDF, Resources  
5 Agency. And many other local governments use this also.

6 Data from the satellite imagery would be analyzed  
7 to locate waste tire piles, and San Jose State will --  
8 some of the people from NASA and San Jose State will be  
9 talking a little more about that here. We're looking for  
10 an agreement with San Jose State University who will work  
11 in cooperation with NASA Ames Research Center. The  
12 project will be supervised by NASA Ames scientists.

13 --o0o--

14 MR. PETKER: We're looking for the proof of  
15 concept. This is a one-time project. We're not looking  
16 for an extension. We need to know it works also. That's  
17 what we're going to try to prove out of this concept, is  
18 to develop a method to use current technology and imagery,  
19 again, to locate waste tire locations.

20 We, as the Board, will be providing the  
21 contractor with two areas in California to do their  
22 analysis. We've picked Sonoma County and somewhere in the  
23 high desert. That gives us a brushy, hilly area with  
24 gullies like Sonoma has and some of the high desert  
25 illegal disposing so we can look at two different areas in

1 California to make sure that works. Those two areas cover  
2 most of the state where illegal tires is going on.

3 Part of what we're going to do with this  
4 contract, if you approve it or this agreement if you  
5 approve it, is to provide them with some of the locations  
6 in the area we specify, and then also to provide them and  
7 know there are other areas in there we haven't given them  
8 that they should be able to find. This technology may  
9 become applicable to both other programs we have in P&E or  
10 other CalEPA program?

11 One thing I should have mentioned up front and I  
12 didn't was the fact we need to change something in the  
13 agenda item. It's a technical change, not one of  
14 significant value. But the fact we've used an interagency  
15 agreement in the scope of work in the agenda item, we will  
16 replace that for the Board meeting with just the term  
17 "agreement." So that was for your information.

18 Now I'd like to introduce Dr. Jay Skiles from  
19 NASA who will make a further presentation and answer  
20 questions if you'd like.

21 DR. SKILES: Madam Chairman and members of the  
22 Board, thank you for giving us the opportunity to speak  
23 with you today. My name is Jay Skiles. I'm a civil  
24 servant at NASA Ames Research Center, which is out at  
25 Moffett Field next to Mountain View, California, in the

1 Bay Area. I work in the Earth Science Division. And I'd  
2 like to tell you a little bit about the DEVELOP Program.  
3 I and my colleague, Cynthia Schmidt, who could not be here  
4 today, run the program called DEVELOP. It's an acronym,  
5 as you might expect, with the government, but I'm not  
6 going to give it to you because you won't remember it.  
7 Just remember DEVELOP. NASA is charged with inspiring the  
8 next generation of explorers. One of the ways we do  
9 that --

10 --o0o--

11 DR. SKILES: -- is through internship programs  
12 like DEVELOP. DEVELOP is at four NASA centers. It is an  
13 internship program which is run by the students. That  
14 first bullet says scientists supervise this student-run,  
15 student-led program. It is based at Ames in the Earth  
16 Sciences. The program develops pilot projects which  
17 showcase NASA imagery technology and so forth for the  
18 general public. Our customers are usually state, local,  
19 tribal, and federal agencies. DEVELOP students use NASA  
20 facilities, techniques, and computers, like it says there,  
21 and they are supervised by NASA's scientists.

22 The research which the students will be doing  
23 here in DEVELOP actually is primarily directed toward  
24 environmental issues: Community development, management,  
25 and/or local policy. So we have worked with tribal

1 organizations in Nevada and in Oregon. We have worked  
2 with federal government agencies in Nevada and also in  
3 California and county agencies in California.

4 I brought with me two of our students today. The  
5 first individual who will be clicking the mouse here is  
6 our student manager, and she actually does a lot of our  
7 administration for us. We sometimes have up to 15, 16  
8 students mostly in the summertime. Right now we have five  
9 working with us at half time. With that brief  
10 introduction, I'd like to introduce you to Catherine  
11 Huybrechts, who is a Masters candidate at San Francisco  
12 State University.

13 I need to back up before I give the microphone  
14 over to Catherine. The connection to San Jose State  
15 University is through Cindy Schmidt. She is an adjunct  
16 professor at San Jose State University that works as a  
17 co-operator at NASA Ames. And she and I run the DEVELOP  
18 program. She is the San Jose State connection there.

19 So with that brief introduction, let me present  
20 to you Katherine Huybrechts.

21 --o0o--

22 MS. HUYBRECHTS: Good morning. My name is  
23 Katherine Huybrechts, and I work for the DEVELOP Program  
24 at NASA Ames Research Center. I'm here today to talk to  
25 you about using satellite technology and imagery to detect

1 waste tire disposal sites throughout California.

2 --o0o--

3 MS. HUYBRECHTS: We at NASA Ames DEVELOP in  
4 partnership with San Jose State University would like to  
5 assist the Integrated Waste Management Board in addressing  
6 the issue of waste tire disposal sites throughout  
7 California.

8 --o0o--

9 MS. HUYBRECHTS: This morning I will cover what  
10 we at DEVELOP view as the project goal, a map of the  
11 projected test sites in California, a few slides on the  
12 technology we propose using, including the benefits of  
13 satellite imagery, a basic methodology for completing the  
14 project, and lastly, the proposed final products.

15 --o0o--

16 MS. HUYBRECHTS: The goal of this one-type proof  
17 of concept project is: Locate waste tire disposal sites  
18 in California using satellite imagery and computer  
19 processing techniques.

20 --o0o--

21 MS. HUYBRECHTS: There are two counties featured  
22 on this map of California. We will test for waste tire  
23 disposal sites in both counties. These two starkly  
24 different climate regions were chosen with the intention  
25 of applying the findings throughout the state.

1                               --o0o--

2               MS. HUYBRECHTS: Here is an example of satellite  
3 imagery of Sonoma County in color infrared, which means  
4 all vegetation appears red and buildings appear blue.

5               The main challenge that we face in this project  
6 is differentiating tires from other dark features in the  
7 imagery, such as water bodies and shadows. This  
8 technology can also be used for research mining  
9 operations, solid waste landfills, and land use planning.

10                           --o0o--

11              MS. HUYBRECHTS: Some of the main reasons that we  
12 use satellite imagery are as follows. First off,  
13 satellite imagery is generally cheaper -- less expensive  
14 than aerial imagery. The accuracy of the imagery reduces  
15 time necessary for field work and the potential for human  
16 error associated with computer analysis. Historic and  
17 current satellite imagery is readily commercially  
18 available. And probably the most important reason for  
19 using satellite imagery is the fact that each image  
20 contains more spacial and spectral data than a  
21 corresponding aerial photograph. These concepts will be  
22 further discussed in the next slide.

23                           --o0o--

24              MS. HUYBRECHTS: A spectral signature is  
25 effectively a fingerprint. All features and materials on



1 the earth have a unique spectral signature. Here's a  
2 picture of me using a spectrometer to obtain the spectral  
3 signature of a used tire. This spectral signature can be  
4 seen on the graph. Using computer processing techniques,  
5 this profile is used to identify features, tires, in  
6 satellite imagery.

7 --o0o--

8 MS. HUYBRECHTS: Computer processing allows for  
9 in-depth and extensive geospatial analysis, easy and  
10 precise map production that can be digitally overlaid onto  
11 county parcel and road maps. As well, all satellite  
12 imagery is geographically referenced allowing for accurate  
13 ground location of tire sites.

14 --o0o--

15 MS. HUYBRECHTS: Using the latter techniques, our  
16 proposed methodology is as follows. First, we obtain  
17 satellite imagery of the study areas. Second, we collect  
18 field data at the tire sites and measure spectral  
19 signature of the waste tires. Third, we use computer  
20 processing techniques to locate tires in satellite  
21 imagery. And, finally, we map the locations of present  
22 known and unknown tire sites.

23 --o0o--

24 MS. HUYBRECHTS: We will supply the Board with  
25 the following products: A project report in both digital

1 and hard copy, including maps of waste tire sites in test  
2 areas. We will train interested project partners in our  
3 applied image analysis techniques. And, finally, for  
4 public relations purposes, a digital multi-media  
5 representation of the project will be provided.

6 Thank you for your time. Any questions?

7 CHAIRPERSON PEACE: So you said this satellite  
8 imagery is less expensive and more accurate than air  
9 photos?

10 MS. HUYBRECHTS: Yes.

11 CHAIRPERSON PEACE: That would be a good thing.  
12 So you want to develop a model that will distinguish tire  
13 piles from shadows and water. Do you have any feeling on  
14 how -- do you have an 80 percent probability that you  
15 think you'll be able to do this or really sure you'll be  
16 able to do this or --

17 MS. HUYBRECHTS: We can't give you a definite  
18 answer. It is a research project. But the technology has  
19 been used over and over again. It's definitely based on  
20 previous findings.

21 CHAIRPERSON PEACE: You feel pretty confident  
22 we'll be able to work out something to distinguish the  
23 tire piles?

24 MS. HUYBRECHTS: I feel confident, yes.

25 MS. CLEVE: We recently created a remotely sensed

1 vegetation map that identified different species in the  
2 forest, so we've done these sorts of projects before.

3 CHAIRPERSON PEACE: Could you state your name for  
4 the record?

5 MS. HUYBRECHTS: This is Casey Cleve.

6 MS. CLEVE: I'm the student manager of DEVELOP.  
7 And we recently completed a vegetation map in Oregon  
8 actually identifying species of different tree species.  
9 So we have done these type of mapping techniques before.

10 CHAIRPERSON PEACE: Are there any questions?

11 COMMITTEE MEMBER WASHINGTON: Jim, in terms of  
12 saving money, I understand this is going to help you --  
13 staff said it's going to help save money for the Board.

14 DEPUTY DIRECTOR LEE: That is our ultimate goal  
15 here, sir. We'll be discussing probably in the next month  
16 or two when we discuss the whole CHP and enforcement  
17 aspects. You know, right now we're doing some aerial  
18 surveillance using CHP. We feel that the satellite  
19 technology is going to be a valuable adjunct to that  
20 program. And as the San Jose State people have discussed,  
21 again, it shows a great deal of promise. Again, it's a  
22 little early to say how much we will save. It's a good  
23 potential. We hope to see that potential realized, and  
24 we'll know more after we complete the study and have  
25 results back in the fall of this year.

1 COMMITTEE MEMBER WASHINGTON: You're getting  
2 better at knowing your Board members, because that was my  
3 next question in terms of CHP. You're getting good, Jim,  
4 man.

5 CHAIRPERSON PEACE: Thank you, Catherine.

6 MS. HUYBRECHTS: Thank you.

7 MR. BLUMENTHAL: My name is Michael Blumenthal.  
8 I'm with the Rubber Manufacturers Association.

9 I didn't plan on making a comment about this  
10 particular item, but it should be made known that EPA  
11 Region 5 at their office in Illinois in Chicago already  
12 has this type of satellite imagery project. They've  
13 mapped all of the Great Lake states. They can pinpoint to  
14 seconds and minutes where all the piles are. They've done  
15 it for nine states already. So this technology does  
16 exist. It is being used. There are some very detailed  
17 maps.

18 I'd be happy to e-mail the information to Darryl,  
19 and so they could interact with EPA Region 5. I'm not  
20 saying not to do it. I'm saying a lot of this information  
21 already exists. The technology is already out there. It  
22 has not been applied to California. I know it's been done  
23 in the Midwest in Alabama, in Connecticut, in all of the  
24 Great Lake states. So I think you can get up the learning  
25 curve a lot faster, and I believe the technology can be

1 applied here as well. And how it interacts with San Jose  
2 State and NASA, that's for them to figure out. But a lot  
3 of the research has already been done.

4 CHAIRPERSON PEACE: That's a good point, because  
5 there's already research and information out there. We  
6 should be coordinating with them and working together.

7 MR. BLUMENTHAL: I will e-mail everything to  
8 Darryl. He can then e-mail it to the folks at NASA and  
9 San Jose, and they can then figure it out. Okay.

10 MR. PETKER: Thank you. That begs a question.  
11 I've talked to Dr. Skiles quickly. I did not know about  
12 that. In some of my Google searches, I never saw that.  
13 It does raise an interesting point.

14 What I propose is that if we can move forward  
15 with this, I'll check with the EPA back east. Dr. Skiles  
16 can talk to them, too, to find out what's there. And  
17 maybe we can partner with them on that, take what they  
18 have and build upon it. Depends on your preference.

19 The one last slide that I have, though, I can  
20 finish that --

21 --o0o--

22 MR. PETKER: -- is the options for the Board, is  
23 approve the Resolution 2005-38 and the proposed scope of  
24 work for agreement with the California State University  
25 San Jose to develop the model. Number two would be

1 approve the scope of work with specific changes as  
2 directed by you and for that resolution. And the third  
3 one would be to direct staff to make changes to proposed  
4 scope of work. And then --

5 MS. ARMSTRONG: Excuse me. Holly Armstrong from  
6 the Legal Office.

7 One other clarification. The contractor will  
8 actually be San Jose State University Foundation rather  
9 than San Jose State University, which is the reason for  
10 the technical change that Darryl mentioned earlier  
11 striking the interagency from the agreement. So we'll  
12 prepare a revised resolution.

13 CHAIRPERSON PEACE: So what you're saying, should  
14 we change it then in the resolution to say that under the  
15 options for the Board is to approve the scope of work with  
16 the specified changes that they will be working and  
17 coordinating with NASA on getting information --

18 MR. PETKER: We'd be happy to do that if that's  
19 your direction, yes.

20 CHAIRPERSON PEACE: So he said it was with the  
21 U.S. EPA --

22 MR. PETKER: Region 5, U.S. EPA.

23 CHAIRPERSON PEACE: Why don't we do that.

24 MR. PETKER: And neither I nor the management  
25 team for waste tires knew about this. This is something

1 new to us today.

2 CHAIRPERSON PEACE: Can we add that and the  
3 approve scope of work with the changes that San Jose --

4 MR. PETKER: State University.

5 MS. ARMSTRONG: State University Foundation.

6 CHAIRPERSON PEACE: -- Foundation will work with  
7 U.S. EPA Region 5 and get whatever information. Legal can  
8 write that up and work with them and get whatever  
9 information they have, so we're not duplicating the work.

10 DEPUTY DIRECTOR LEE: That will be no problem,  
11 Madam Chair.

12 COMMITTEE MEMBER WASHINGTON: Jim, so in the  
13 scope of work for this contractor to get to San Jose  
14 University as an interagency, do we have -- we don't have  
15 a problem with them -- now that it's a Foundation, which  
16 takes the interagency out of it, there's no problem there?

17 MS. ARMSTRONG: The auxiliaries of the University  
18 are also exempt from competitive bidding requirements, so  
19 there's no problem.

20 CHAIRPERSON PEACE: Okay. And also since this  
21 project is also mentioned in the Five-Year Plan revision,  
22 that we will be going back and revising the revision to  
23 take that out?

24 DEPUTY DIRECTOR LEE: That is correct, Madam  
25 Chair.

1 CHAIRPERSON PEACE: Any other questions?

2 Do we have a motion?

3 COMMITTEE MEMBER MOULTON-PATTERSON: I'll go  
4 ahead and move -- this sounds very exciting, and I'm sure  
5 that it will be very productive. So I'd like to go ahead  
6 and move Resolution 2005-38 revised, or with our  
7 revisions.

8 COMMITTEE MEMBER WASHINGTON: Second.

9 CHAIRPERSON PEACE: Revised, that would be  
10 Consideration of Scope of Work and Agreement with San Jose  
11 State University Foundation.

12 And, Selma, go head and take a roll.

13 SECRETARY LINDRUD: Moulton-Patterson?

14 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

15 SECRETARY LINDRUD: Washington?

16 COMMITTEE MEMBER WASHINGTON: Aye.

17 SECRETARY LINDRUD: Peace?

18 CHAIRPERSON PEACE: Aye.

19 Even though this is a fiscal item, it is only  
20 \$30,000. I think we want to go ahead with this. Do we  
21 have any -- do we want to put this on consent? We'll go  
22 ahead and put this on consent.

23 DEPUTY DIRECTOR LEE: One point of clarification  
24 I'll ask Legal. Since it is an authorization of \$30,000,  
25 does it have to go for fiscal consent?



1           Okay. Thank you, Madam Chair.

2           CHAIRPERSON PEACE: Are we done already?

3           DEPUTY DIRECTOR LEE: We are done.

4           CHAIRPERSON PEACE: Thank you. This meeting is  
5 adjourned.

6           (Thereupon the California Integrated Waste  
7 Management Board, Special Waste Committee  
8 adjourned at 10:33 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand  
3 Reporter of the State of California, and Registered  
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the  
6 foregoing hearing was reported in shorthand by me,  
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the  
8 State of California, and thereafter transcribed into  
9 typewriting.

10 I further certify that I am not of counsel or  
11 attorney for any of the parties to said hearing nor in any  
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand  
14 this 17th day February, 2005.

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